

MEMO ENDORSED

MICHAEL A. CARDOZO
Corporation Counsel

**THE CITY OF NEW YORK
LAW DEPARTMENT**

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December 24, 2007

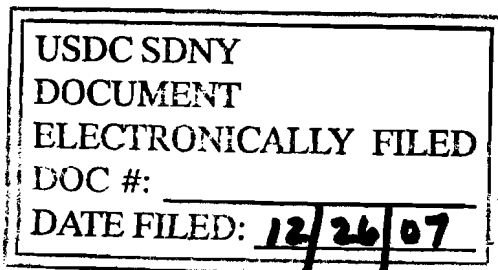
BY HAND

Honorable Richard M. Berman
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 650
New York, NY 10007-1312

Re: Wingate v. New York City Department of Correction, et. al.
07-CV-8679 (RMB) (RLE)

Dear Judge Berman:

I am the Assistant Corporation Counsel assigned to the above-referenced action. I write on behalf of the Department of Correction¹ to respectfully request that defendants' time to respond to the Complaint be extended from December 26, 2007 to January 28, 2008. This is defendants' first request for an extension of time in this matter. The additional time is necessary to interview the named defendants and determine issues of representation pursuant to General Municipal Law 50-k(2), as well as to conduct an investigation into plaintiff's allegations.



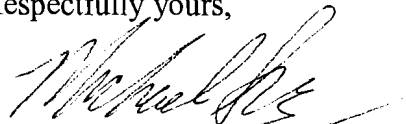
APPLICATION GRANTED.
SO ORDERED:
Date: <u>12/26/07</u> <u>Richard M. Berman</u>
Richard M. Berman, U.S.D.J.

¹ Upon information and belief, all of the other individually named defendants in this action have not been properly served with the Summons and Complaint. An extension of time will increase the likelihood of this office being able to interpose a single answer.

As plaintiff is incarcerated and proceeding *pro se*, I am unable to obtain his consent prior to making this request.

Thank you for your courtesy and consideration in this matter.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Michael Suarez", with a stylized flourish at the end.

Michael Suarez (MS-5038)
Assistant Corporation Counsel

cc: Blake Wingate
11-11 Hazen Street
East Elmhurst, New York 11370